

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2026:PHHC:091392



(214) CRM-M-16938-2026 (O&M)
Decided on: 07.07.2026
Uploaded on: 07.07.2026

Vivek Chohan Petitioner(s)

Versus

State of Haryana Respondent(s)

CORAM : HON'BLE MR.JUSTICE SUMEET GOEL

Present: Mr. P.S. Ahluwalia, Senior Advocate with
Mr. Arjun Sangwan, Advocate for the petitioner (s).

Ms. Priyanka Sadar, Sr. DAG, Haryana.

None for the complainant.

Sumeet Goel (Oral):

1. Apprehending his arrest in FIR No. 204 dated 08.06.2024, registered for the offences punishable under Sections 406, 420 of Indian Penal Code and Section 3 of Haryana Protection of Interest of Depositors in Financial Establishments Act, 2013, at Police Station Civil Lines Jind, District Jind; the petitioner has preferred this petition under Section 482 of BNSS, 2023 seeking pre-arrest bail.

2. On 27.03.2026, the following order was passed:

“Petitioner, an accused in case FIR No. 204 dated 08.06.2024, registered against him under Sections 406, 420 of Indian Penal Code and Section 3 of Haryana Protection of Interest of Depositors in Financial Establishments Act, at Police Station

Civil Lines, Jind, District Jind, has filed the present petition for grant of pre-arrest bail.

While mentioning the factual backdrop of the case, learned counsel for the petitioner contends that petitioner being a registered trader of Crypto Currency in UAE with a valid license, has been falsely implicated in the present case. Complainant and several other persons, who are claiming to be “victims” of investment fraud had duly purchased crypto currencies (USDT, Bitcoin etc.). However, after the ban imposed by the Reserve Bank of India on crypto trading, the so-called victims started blackmailing the petitioner, his wife and her family members, demanding that the money be returned. Continuing further, learned counsel contends that the entire account statements along with ledger accounts depicts both outward and inward transactions, copy of the ledger statements (Annexure P-4) and copy of crypto record (Annexure P-5) from the licensed profile of the petitioner were handed over to the Investigating Officer, who did not take note of all the relevant documents. Rather, for obvious reasons, complainant did not hand over the entire record. Thus, the submission that only selective incoming entries were taken note of by the jurisdictional police to arrive at a conclusion that petitioner and other accused owe large sum of money to the complainant/ victims.

Learned counsel next contends that prior to the lodging of the present FIR, the sister-in-law of the complainant, namely, Smt. Anita, wife of Late Bhupender @ Badal had filed a complaint dated 09.02.2024 against petitioner and other accused alleging therein that a fraud had been played on her by the accused party, who had promised to send her son Devan abroad. But after taking money, the accused party failed to abide by their promise as neither the boy was sent nor money was returned. The said complaint was enquired into by the local police and finding no substance in the allegations levelled, no action was initiated. Copy of the said report dated 05.06.2024 (Annexure P-6) has also been referred to by learned counsel. Three days thereafter, complainant filed the present complaint dated 08.06.2024 levelling absolutely baseless allegations. If there had been an iota of truth in these allegations, no explanation is forthcoming as to why all the relevant facts were not mentioned in the earlier

complaint dated 09.02.2024 filed by the sister-in-law of complainant, where the statement of complainant, who is residing in the same house as that of his sister-in-law was also recorded. On similar lines, two other complaints were filed by the complainant party in Ludhiana (Copies Annexure P-7).

Falsity of the case set up by the complainant party, as per learned counsel, is also apparent from the copy of the audio transcript between the complainant and IO (Annexure P-16), a bare perusal of which makes intention of the complainant party quite apparent. It is further the submission of learned counsel that all these facts were taken note of by the learned Additional Sessions Judge, Jind, who vide order dated 24.2.2026, granted the concession of interim bail to the petitioner with a direction to join investigation on 02.03.2026. However, on account of then emergent war situation in the Middle East, petitioner could not appear before the IO on the date fixed, i.e., 02.03.2026. The entire facts were explained to the learned Additional Sessions Judge, who extended the time limit for appearance. Thus, as per learned counsel, petitioner demonstrated his bonafide in joining the investigation, during which he was interrogated for long hours. All the relevant documents were also handed over to the IO, who choose not to take note of the same. These facts were brought to the notice of the learned Additional Sessions Judge, who confronted petitioner in person in the Court and purely based on his personal observation that petitioner appears to be clever person, dismissed the bail application.

It is further the submission of learned counsel that 'Criminal Justice Delivery System' cannot be misused to recover the alleged money. In the present case, contents of the FIR when perused carefully reveal the "Civil Nature" of the dispute as also that the criminal proceedings have been initiated only with a view to arm twist the petitioner so as to extract illegal monetary benefit from him. Learned counsel next contends that petitioner, who has clean past antecedents is still willing to join the investigation as and when called for by the IO.

Mr. Munish Kumar Garg, Advocate appears for the complainant and filed his power of attorney.

On advance notice, Mr. Vishal Singh, Assistant Advocate General, Haryana appears for the respondent-State.

Per contra, while opposing the request for grant of bail, learned State counsel accompanied by learned counsel for the complainant contend that petitioner and other accused have played a systematic fraud on various innocent persons and have cheated them of their hard learned money. Huge recovery of money is outstanding against all the accused, who all extended false promises on the assurance that the money invested would be returned with 'double the amount', knowing fully well that they would not be able to fulfill their promise. Acting purely on these false assurances extended by petitioner and other accused, victims invested their hard learned money, but did not get the desired results. The story now put forth by petitioner that the complainant party of their own accord invested money in crypto currency is nothing, but an after thought/plot adopted to get out of the embarrassing situation in which he is placed.

However, learned counsel for the complainant undertakes to place on record detailed reply. Similar, request has been made by learned State counsel.

Heard. Documents perused.

Notice of motion.

Mr. Vishal Singh, AAG, Haryana accepts notice on behalf of respondent-State.

Adjourned to 12.5.2026.

In the meanwhile, petitioner is hereby directed to join investigation within ten days from today and cooperate in the same. In the event of arrest of petitioner, he shall be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 482(2) BNSS."

3. Learned State counsel (on instructions) has submitted that the petitioner has joined investigation but his custodial interrogation is required for effecting recovery of money in question.

4. Having heard learned counsel for the rival parties and upon perusal of the record; especially keeping in view the factum of the petitioner having joined investigation and there being no allegation of

misuse the ad-interim anticipatory bail earlier extended to the petitioner and the State seeking custodial interrogation of the petitioner only for recovery of money in question; this Court is inclined to confirm the order dated 27.03.2026. Accordingly, the petition is allowed and the order dated 27.03.2026 is made absolute.

5. This order should not be treated as “blanket” order. It will not be read granting petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

6. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioner violates any condition stipulated under Section 482(2) of BNSS or upon showing any other sufficient cause.

7. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.

8. Pending application(s), if any, shall also stand disposed off.

07.07.2026

Naveen

(SUMEET GOEL)
JUDGE

Whether speaking/reasoned :

Yes/No

Whether Reportable :

Yes/No